

Framingham Planning Board

Memorial Building • Room 205 • 150 Concord Street

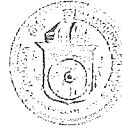
Framingham, MA 01702-8373

(508) 532-5450 • planning.board@framinghamma.gov



PERMIT FRAMINGHAM

plan • build • grow



2016 JUL 29 A 11:42

TOWN CLERK
FRAMINGHAM

Town Clerk Stamp

Planning Board Members

Christine Long, Chair

Lewis Colten, Vice Chair

Victor Ortiz, Clerk

Thomas F. Mahoney

Stephanie Mercandetti

Planning Board Staff:

Amanda L. Loomis, AICP, Planning Board Administrator

Raphaela Morais-Peroba, Community Outreach Coordinator

TOWN OF FRAMINGHAM - PLANNING BOARD

Notice of Decision

Regarding the DECISION OF THE FRAMINGHAM PLANNING BOARD

ON THE APPLICATION OF ONE FRAMINGHAM CENTRE, LLC

FOR THE PROPERTY LOCATED AT 1, 5, 17 EDGELL ROAD

DECISION DATED JULY 28, 2016

On June 15, 2016, One Framingham Centre, LLC., the Applicant, filed with the Planning Board and on June 15, 2016, the Planning Board filed with the Town Clerk, the Application for Minor Site Plan Review, Special Permit for a Reduction in the Required Number of Parking Spaces, Special Permit for a Reduction in the Parking Dimensional Regulations within the Setback, and a Public Way Access Permit for the construction of a new 4,800sf restaurant structure, landscaped pedestrian areas, reconfiguration of the parking lot, re-alignment of the public way access off Edgell Road, outdoor seating areas and open space improvements, bicycle parking, and associated site improvements. The property is located at 1, 5, 17 Edgell Road, in the Community Business (B-2) Zoning District and the Highway Corridor (HC) Overlay District, with the Framingham Assessor's Parcel ID of 90-44-0682-000.

After the notice of the public hearing was published in "Boston Globe" on June 16, 2016 and June 23, 2016 and mailed to parties of interest pursuant to the Framingham Zoning By-Law and M.G.L. c. 40A, the Planning Board opened the public hearing on June 30, 2016 at 7:00 pm in the Ablondi Room, Memorial Building, Framingham. Continued public hearings were held on July 21 and July 28, 2016.

On July 28, 2016 the Planning Board **APPROVED** the Project with conditions for Minor Site Plan Review, Special Permit for a Reduction in the Required Number of Parking Spaces, Special Permit for a Reduction in the Parking Dimensional Regulations within the Setback, and a Public Way Access Permit for the properties located at 1, 5, 17 Edgell Road. The **DECISION** was filed in the office of the Town Clerk on July 29, 2016.

Christine Long, Chair
FRAMINGHAM PLANNING BOARD

Any appeal from the Decision shall be made pursuant to M.G.L. c. 40A, Section 17 and must be filed within twenty days after the date of filing of the Decision in the office of the Town Clerk.

Framingham Planning Board

Memorial Building • Room 205 • 150 Concord Street

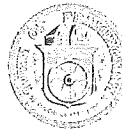
Framingham, MA 01702-8373

(508) 532-5450 • planning.board@framinghamma.gov



PERMIT FRAMINGHAM

plan • build • grow



Town Clerk Stamp

2016 JUL 29 P 12:12

Planning Board Members

Christine Long, Chair
Lewis Colten, Vice Chair
Victor Ortiz, Clerk
Thomas F. Mahoney
Stephanie Mercandetti

Planning Board Staff:

Amanda L. Loomis, AICP, Planning Board Administrator
Raphaela Morais-Peroba, Community Outreach Coordinator

TOWN OF FRAMINGHAM - PLANNING BOARD

Notice of Decision

**Regarding the Decision of the Framingham Planning Board
on the Application of One Framingham Centre, LLC
for the Property Located at 1, 5, 17 Edgell Road**

Decision dated July 28, 2016

Notice is hereby given in accordance with M.G.L. c. 40A, Section 15 that the application of The One Framingham Centre, LLC for a Minor Site Plan Review, Special Permit for a Reduction in the Required Number of Parking Spaces, Special Permit for a Reduction in the Parking Dimensional Regulations within the Setback, and a Public Way Access Permit for the property located at 1, 5, 17 Edgell Road. The Project was APPROVED with conditions by the Planning Board on July 28, 2016 and the DECISION was filed in the Office of the Town Clerk on July 29, 2016. The opening public hearing was held on June 30, 2016, notice of the opening public hearing was published in "Boston Globe" on June 16, 2016 and June 23, 2016. Continued public hearings were held on July 21 and July 28, 2016. For additional information please see the Planning Board's webpage at www.framinghamma.gov.

Christine Long, Chair

FRAMINGHAM PLANNING BOARD

Any appeal from the Decision shall be made pursuant to M.G.L. c. 40A, Section 17 and must be filed within twenty days after the date of filing of the Decision in the office of the Town Clerk.

Framingham Planning Board

Memorial Building • Room 205 • 150 Concord Street

Framingham, MA 01702-8373

(508) 532-5450 • planning.board@framinghamma.gov



PERMIT | FRAMINGHAM

plan • build • grow



Planning Board Members:

Christine Long, Chair
Lewis Colten, Vice Chair
Victor Ortiz, Clerk
Thomas F. Mahoney
Stephanie Mercandetti

DECISION OF THE FRAMINGHAM PLANNING BOARD ON THE APPLICATION OF ONE FRAMINGHAM CENTRE, LLC FOR THE PROPERTY LOCATED AT 1, 5, 17 EDGELL ROAD

DECISION DATED JULY 28, 2016

THIS DECISION WAS GRANTED UNDER THE OCTOBER 2015 (APRIL 2016 PENDING ATTORNEY GENERAL APPROVAL)

FRAMINGHAM ZONING BY-LAW

General Property Information

Project Number: PB-015-16

Property Address: 1, 5, 17 Edgell Road

Assessor's Information: 90-44-0682-000

Zoning District: Community Business (B-2)

Overlay District: Highway Corridor (HC) Overlay District

Application Information

Application(s): Minor Site Plan Review, Special Permit for a Reduction in the Required Number of Parking Spaces, a Special Permit for a Reduction in the Parking Dimensional Regulations within the Setback, and Public Way Access Permit
Sections of the Framingham Zoning By-Law under review: Minor Site Plan Review (Section VI.F.2.a), and Special Permit for a Reduction in the Required Number of Parking Spaces (Section IV.B.1.f), Special Permit for a Reduction in the Parking Dimensional Regulations within the Setback (Section IV.B.3.b), Off-Street Parking (Section IV.B), and Dimensional Regulations (Section IV.E)

Section of the Framingham General By-Law under review: Public Way Access Permit (Article VI., Section 8)

Date application(s) were filed with the Planning Board: June 15, 2016

Date application(s) were filed with the Town Clerk: June 15, 2016

General Project Contact Information

Applicant Name: One Framingham Centre, LLC

Applicant Address: 62 Washington Avenue, Chelsea, MA 02150

Landowner Name: Same as the Applicant

Project Contact Name: Attorney Peter Barbieri, Fletcher Tilton PC

Engineer Company: Joseph R. Sullivan, Sullivan Surveying Co.

Legal Ad & Public Hearing Information

Boston Globe Run dates of the Legal Ad: (14 days prior) June 16, 2016 and (7 days prior) June 23, 2016

Date of abutter/Seven abutting municipalities/parties of interest mailing: June 15, 2016

Date of opening public hearing: June 30, 2016

Date(s) of continued public hearings: July 21, 2016 and July 28, 2016

Applicant's Representatives in attendance at the Public Hearing(s): Attorney Peter Barbieri, Fletcher Tilton, PC and Jon Marcus New England Investment Partners

Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Lewis Colten, Vice-Chair, Victor Ortiz, Clerk, Thomas Mahoney, and Stephanie Mercandetti (absent on July 21, 2016) Stephanie Mercandetti filed Mullin Rule on July 28, 2016.

2016 JUL 29 A 11:42
TOWN CLERK
FRAMINGHAM

Framingham Planning Board

Memorial Building • Room 205 • 150 Concord Street

Framingham, MA 01702-8373

(508) 532-5450 • planning.board@framinghamma.gov



PERMIT | FRAMINGHAM

plan • build • grow



Planning Board Members:

Christine Long, Chair

Lewis Colten, Vice Chair

Victor Ortiz, Clerk

Thomas F. Mahoney

Stephanie Mercandetti

DECISION OF THE FRAMINGHAM PLANNING BOARD ON THE APPLICATION OF ONE FRAMINGHAM CENTRE, LLC FOR THE PROPERTY LOCATED AT 1, 5, 17 EDGELL ROAD

DECISION DATED JULY 28, 2016

THIS DECISION WAS GRANTED UNDER THE OCTOBER 2015 (APRIL 2016 PENDING ATTORNEY GENERAL APPROVAL)

FRAMINGHAM ZONING BY-LAW

General Property Information

Project Number: PB-015-16

Property Address: 1, 5, 17 Edgell Road

Assessor's Information: 90-44-0682-000

Zoning District: Community Business (B-2)

Overlay District: Highway Corridor (HC) Overlay District

Application Information

Application(s): Minor Site Plan Review, Special Permit for a Reduction in the Required Number of Parking Spaces, a Special Permit for a Reduction in the Parking Dimensional Regulations within the Setback, and Public Way Access Permit
Sections of the Framingham Zoning By-Law under review: Minor Site Plan Review (Section VI.F.2.a), and Special Permit for a Reduction in the Required Number of Parking Spaces (Section IV.B.1.f), Special Permit for a Reduction in the Parking Dimensional Regulations within the Setback (Section IV.B.3.b), Off-Street Parking (Section IV.B), and Dimensional Regulations (Section IV.E)

Section of the Framingham General By-Law under review: Public Way Access Permit (Article VI., Section 8)

Date application(s) were filed with the Planning Board: June 15, 2016

Date application(s) were filed with the Town Clerk: June 15, 2016

General Project Contact Information

Applicant Name: One Framingham Centre, LLC

Applicant Address: 62 Washington Avenue, Chelsea, MA 02150

Landowner Name: Same as the Applicant

Project Contact Name: Attorney Peter Barbieri, Fletcher Tilton PC

Engineer Company: Joseph R. Sullivan, Sullivan Surveying Co.

Legal Ad & Public Hearing Information

Boston Globe Run dates of the Legal Ad: (14 days prior) June 16, 2016 and (7 days prior) June 23, 2016

Date of abutter/Seven abutting municipalities/parties of interest mailing: June 15, 2016

Date of opening public hearing: June 30, 2016

Date(s) of continued public hearings: July 21, 2016 and July 28, 2016

Applicant's Representatives in attendance at the Public Hearing(s): Attorney Peter Barbieri, Fletcher Tilton, PC and Jon Marcus New England Investment Partners

Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Lewis Colten, Vice-Chair, Victor Ortiz, Clerk, Thomas Mahoney, and Stephanie Mercandetti (absent on July 21, 2016) Stephanie Mercandetti filed Mullin Rule on July 28, 2016.

Technical Review Team Meeting

On June 22, 2016, the Technical Review Team (TRT) reviewed the project at 1, 5, 17 Edgell Road. Minutes from the TRT meeting were taken for this meeting. Copies of the minutes are in the electronic and paper project files.

Technical Review Team Members Present: Michael Tusino, Building Commissioner, Mark Dempsey, ISD Access, Building Department, Marianne Iarossi, Senior Planner - Community & Economic Development – Senior Planner, Will Naser, Town Assessor, Amanda Loomis, Planning Board Administrator, Mark Leporati, Framingham Fire Department, Michael Blanchard, Director of the Health Department, Sam Scoppettone, ZBA Administrator – Community & Economic Department, and Eric Johnson, Town Engineer - Department of Public Works

Present for the Applicant: Attorney Peter Barbieri, Fletcher Tilton and Jon Marcus, Applicant, New England Investment Partners

PLANNING BOARD APPROVAL INFORMATION

Plan of Land in Framingham, Mass., prepared for One Framingham Centre, LLC, prepared by Sullivan Surveying Company, LLC, date May 16, 2016, revised through July 16, 2016 (as revised through Condition 45, herein).

PROJECT DESCRIPTION

The Project at 1, 5, 17 Edgell Road, will include the razing of the existing 5,000sf restaurant structure and to construct a new 4,800sf restaurant structure. The Project will also include the following: landscaped pedestrian areas, reconfiguration of the parking lot, ADA accessibility, re-alignment of the public way access off Edgell Road, outdoor seating areas and open space improvements, and bicycle parking.

HEARING

The Framingham Planning Board held a total of three public hearings (June 30, 2016, July 21, 2016 and July 28, 2016) during the review of the Project located at 1, 5, 17 Edgell Road. Framingham Planning Board Members present during the public hearings held for the Project were Christine Long, Chair; Lewis Colten, Vice-Chair; Victor Ortiz, Clerk; Thomas Mahoney; and Stephanie Mercandetti (absent on July 21, 2016 – the Mullin Rule was filed with the Town Clerk on July 27, 2016). During the course of the public hearings, the following individuals appeared on behalf of the Applicant: Attorney Peter Barbieri, Fletcher Tilton and Jon Marcus, New England Investment Partners.

Summary of Meeting Minutes

Attorney Barbieri provided a review of the property and past permitting history with the Planning Board, Historic District Commission, and the Zoning Board of Appeals. Attorney Barbieri provided an overview of the recent uses of the parking lot, the current and proposed configuration of the parking lot, and the circulation and access of the site. Attorney Barbieri further stated that the site was a pre-existing non-conforming and that the improvements being made would decrease the non-conformities.

Mr. Marcus provided an overview of the property since the acquisition by his company, noting the many improvements and renovations that have been made since his company purchased the property.

The Planning Board members made the following comments regarding the project.

- **Christine Long, Chair** Ms. Long stated concerns regarding the request for a large reduction in the number of parking spaces required, location and placement of the building, the architecture of the building, and the determination of the permits needed for the project.
- **Lewis Colten, Vice-Chair** Mr. Colten stated concerns for such a large decrease in the number of parking spaces provided compared to what is required, the architecture of the building and its close proximity to the historic district, public safety at the site and revisions needing to be made regarding those concerns.

- **Thomas Mahoney** Mr. Mahoney made several statements about the existing and proposed Floor Area Ratio (FAR) and concerns regarding non-compliance with the Zoning By-Law.
- **Victor Ortiz** Mr. Ortiz stated concerns regarding the configuration of the Edgell Road entrance, specifically stating that the existing access drive is one-way entrance and questioned the Applicant's proposal of a two-way entrance expressing safety concerns.
- **Stephanie Mercandetti** Ms. Mercandetti requested that the Applicant looked at alternative locations within the site for the building to be located. Ms. Mercandetti stated concern for the requested reduction in the required number of parking spaces and the need for further review.

During the course of the public hearing process, the Planning Board took under advisement all information received from members of the public that provided input during the review of the Project. The Planning Board arrived at this Decision based on the Framingham Zoning By-law, information submitted by the Applicant, comments from town boards and officials, and members of the public. Findings made from the application and public hearing process resulted in the development of the conditions contained within this Decision.

FINDINGS

Having reviewed the application, plans, and reports filed by the Applicant and its representatives; having considered and reviewed the correspondence from the Planning Board, Department of Community & Economic Development, the Conservation Commission, the Police Department, the Fire Department, and the Department of Public Works within the Town of Framingham; and having considered testimony from members of the public, the Planning Board determines that the Application complies with all applicable provisions and requirements of the Framingham Zoning By-Law (Section IV.B, IV.E, VI.E, and VI.F) and the Framingham General By-Laws (Article VI, Section 8). Specifically, the Planning Board makes the following findings:

1. Section IV.B.1.f - Special Permit for a Reduction in the Required Number of Parking Spaces, Framingham Zoning By-Laws

- 1.1 All of the uses within the plaza require 230 off-street parking spaces. The Applicant requests a reduction in the required number of off-street parking spaces of 86 off-street parking spaces.
- 1.2 The property contains an existing restaurant building (formerly known as Red Pepper), which will be razed to allow for the construction of a new IHOP restaurant building. The Red Pepper restaurant required 73 off-street parking spaces when in operation.
- 1.3 The properties currently contains several restaurant uses that include the following: Subway, Dulce D Leche, Gelato Shop (5 Edgell Road – in operation), Volturno's Pizzeria (1 Edgell Road – under construction), and Red Pepper (17 Edgell Road – to be razed). These restaurants primarily operate between the hours of 11:30 and 10:00pm. Although some of these businesses are open, they do not conduct a significant amount of business prior to 11:30am.
- 1.4 The property located at 1 Edgell Road contains the following businesses that required off-street parking spaces based on the type of business, hours of operation, number of employees, and number of seats.

Hours of Operation	Tenant Name	Use	Square Footage	Number of Seats	Number of Employees	Number of Required Parking Spaces (Per the By-Law)	Total Number of Parking Spaces
7:00am-4:00pm (M-F), 9:00am-12:00pm (Sat.), No Sunday	Kitchen Corner	Office	3,500sf	NA	4	14 (1 per 250sf)	14
11:30am-12:00am	Volturno's	Restaurant	1 st Floor – 3,658sf Basement – 1,200sf	120	16	40 (1 per 3 seats) and 8 (1 per 2 employees)	48
9:00am- 5:00pm (M-Sat.)	Tokyo Nails	Retail Service	1,213sf	6 Stations		6.065 (1 per 200sf)	7
7:00am – 8:00pm (M-Sun)	Elements	Health/ Recreation	1,698sf	15 – Occupants		5 (1 per 3 Occupants)	5
7:00am – 7:00pm (M-F) and 9:00am – 12:00pm (Sat)	Acupuncture	Medical Office	1,590sf		3	10.6 (1 per 150sf)	11
9:00am to 5:00pm (M-F)	Century 21	Office	1,680sf			6.72 (1 per 250sf)	7
Total			14,539sf			90.385	92

1.5 The property at 5 Edgell Road contains the following businesses that required off-street parking spaces based on the type of business, hours of operation, number of employees, and number of seats.

Hours of Operation	Tenant Name	Use	Square Footage	Number of Seats	Number of Employees	Number of Required Parking Spaces (Per the By-Law)	Total Number of Parking Spaces
8:00am – 5:00pm (M-F)	Office - 1 st Pass	Office	1,600sf			6.4 (1 per 250sf)	7
8:00am – 9:00pm (M-Sun)	Subway Restaurant	Fast Food	1,653sf	12	3	6 (1 per 2 seats) and 1.5 (1 per 2 employees) =	8
7:00am- 9:00pm (M-Sat) and 9:00am to 9:00pm (Sun)	Dulce D Leche (Gelato Shop)	Restaurant	1,650sf	11	2	4 (1 per 3 seats) and 1 (1 per 2 employees)	5
3:00pm – 9:00pm (M – F)	Piano Pear	Office	800sf			3 (1 per 250sf)	3
8:00am – 5:00pm (M-F)	Office – 2 nd Floor	Office	5,102sf			20.4 (1 per 250sf)	21
8:00am – 5:00pm (M-F)	Office – 3 rd Floor	Office	6,879sf			27.5 (1 per 205sf)	28
Total			17,684sf			69.8	72

1.6 The Red Pepper Restaurant when in operation required the following off-street parking spaces based on the type of business, hours of operation, number of employees, and number of seats.

Hours of Operation	Tenant Name	Use	Square Footage	Number of Seats	Number of Employees	Number of Required Parking Spaces (Per the By-Law)	Total Number of Parking Spaces
11:30am – 9:00pm (M-Thur) and 11:30am – 10:00pm (F – Sun)	Red Pepper	Restaurant	5,000sf	196	14	65.36 (1 per 3 seats) and 7 (1 per 2 employees)	73
Total			5,000sf			73	73

1.7 The IHOP Restaurant will require the following off-street parking spaces based on the type of business, hours of operation, number of employees, and number of seats.

Hours of Operation	Tenant Name	Use	Square Footage	Number of Seats	Number of Employees	Number of Required Parking Spaces (Per the By-Law)	Total Number of Parking Spaces
24-hours (7 – days per week)	IHOP	Restaurant	4,800sf	182	16	60.6 (1 per 3 seats) and 8 (1 per 2 employees)	69
Total			4,800sf			69	69

1.8 The properties at 1 and 5 Edgell Road rely on the property at 17 Edgell Road for parking. Neither 1 nor 5 Edgell Road has parking on their properties.

1.9 The Applicant will reconfigure the parking lot on 17 Edgell Road. This reconfiguration will include restriping the existing parking lot in order to create off-street parking spaces that are 9' in wide by 18' long, with 24' drive aisles throughout the property.

1.10 Upon completion of the Project, there will be a total of 158 off-street parking spaces.

1.11 Of the 158 off-street parking spaces provided, there will be six off-street parking spaces that are handicap accessible.

1.12 The IHOP restaurant is predominately a morning breakfast destination, with peak hours between 6:30am to 10:00am. On Saturdays and Sunday mornings a majority of the patrons are expected to carpool to this location as a destination restaurant.

1.13 Given the nature of a mixed-use plaza, the required numbers of off-street parking spaces are not in demand during all hours of the day. Typically, plazas are developed with uses that complement the needs and demands of one another within the plaza, to accommodate requirements and needs such as off-street parking, infrastructure, etc.

1.13.1 The following uses are closed during the evening hours: Kitchen Corner (requires 14 off-street parking spaces), Tokyo Nails (requires 7 off-street parking spaces), Century 21 (requires 7 off-street parking spaces), Office on 1st floor (requires 7 off-street parking spaces), Office on 2nd floor (requires 21 off-street parking spaces), and Office 3rd floor (requires 28 off-street parking spaces) for a total of 84 off-street parking spaces.

- 1.13.2 The following uses either close at noon or are closed all day on Saturdays: Kitchen Corner – closes at noon (requires 14 off-street parking spaces), Acupuncture – closes at noon (requires 11 off-street parking spaces), Century 21 (requires 7 off-street parking spaces), Office on 1st floor (requires 7 off-street parking spaces), Office on 2nd floor (requires 21 off-street parking spaces), Piano Pear closed (requires 3 spaces) and Office 3rd floor (requires 28 off-street parking spaces) for a total of 91 off-street parking spaces.
- 1.13.3 The following uses are closed all day Sunday: Kitchen Corner (requires 14 off-street parking spaces), Acupuncture (requires 11 off-street parking spaces), Tokyo Nails (requires 7 off-street parking spaces), Century 21 (requires 7 off-street parking spaces), Piano Pear (requires 3 off-street parking spaces), Office on 1st floor (requires 7 off-street parking spaces), Office on 2nd floor (requires 21 off-street parking spaces), and Office 3rd floor (requires 28 off-street parking spaces) for a total of 98 off-street parking spaces.
- 1.13.4 The following uses are not open or do not do a significant amount of business prior to 11:30am weekdays: Subway restaurant (requires 8 off-street parking spaces), Volturno's restaurant – not open until 11:30am (requires 48 off-street parking spaces), and Dulce D Leche (Gelato Shop) (requires 5 off-street parking spaces) for a total of 61 off-street parking spaces.
- 1.14 Based on the number of off-street parking spaces both provided and the required number of off-street parking spaces required by the Zoning By-Law there will be times during the day when off-street parking is not in demand, times when there is greater demand than what is provided, and times when the numbers are equal, which is typical in a mixed-use plaza.
- 1.14.1 During the weekday evenings, Saturdays, and Sundays there will be a surplus of parking demands for the number of parking spaces required.
- Parking demand for weekday evening hours are as follows: The uses that do not operate during the weekday evening require a total of 84 off-street parking spaces. The Zoning By-Law requires the Applicant to provide a total of 230 off-street parking spaces. The Applicant proposes to construct a total of 158 off-street parking spaces. Therefore, based on the number of required off-street parking spaces of 230 and the 84 off-street parking spaces not needed during the evening hours, there will be a demand of 146 off-street parking spaces which is less than the provided 158 off-street parking spaces and significantly less than the requires 230 off-street parking spaces.
 - Parking demand for Saturday hours: The uses that do not operate during Saturday require a total of 91 off-street parking spaces. The Zoning By-Law requires the Applicant to provide a total of 230 off-street parking spaces. The Applicant proposes to construct a total of 158 off-street parking spaces. Therefore, based on the number of required off-street parking spaces of 230 and the 91 off-street parking spaces not needed during Saturday hours, there will be a demand of 139 off-street parking spaces which is less than the provided 158 off-street parking spaces and significantly less than the requires 230 off-street parking spaces.
 - Parking Demand for Sunday hours is as follows: The uses that do not operate during Sunday require a total of 98 off-street parking spaces. The Zoning By-Law requires the Applicant to provide a total of 230 off-street parking spaces. The Applicant proposes to construct a total of 158 off-street parking spaces. Therefore, based on the number of required off-street parking spaces of 230 and the 98 off-street parking spaces not needed during the Sunday hours, there will be a demand of 132 off-street parking spaces which is less than the provided 158 off-street parking spaces and significantly less than the requires 230 off-street parking spaces.
- 1.14.2 In the event that the off-street parking space located on-site do not meet the demand of the uses on-site. The Applicant shall seek additional parking on a property within close proximity. Such agreement shall be provided to the Planning Board.

2. Section IV.B.3.b - Special Permit for a Reduction in the Parking Dimensional Regulations with the Setback, Framingham Zoning By-Laws

- 2.1 The site plans show 19 off-street parking spaces located between the IHOP restaurant and the Route 9 off-ramp. Section IV.B.3.b of the Framingham Zoning By-Law requires to the greatest extent feasible for the off-street parking spaces to be located to the side and/or rear of the building.
- 2.2 In an event that the Applicant is unable to provide parking to meet the parking demands to the side and/or rear of the building the Applicant may, by a special permit, construct a maximum of 15 percent of the required parking in the front of the building, as long as the Applicant provides either:
 - A space equal to or greater than 20 percent of the off-street parking spaces located in the front of the building to be used as pocket parks; or
 - Solar carports over the total number of spaces located in the front of the building.

The Applicant has chosen to provide area for pocket parks within the property.

- 2.3 Pursuant to Section IV.B.3.b.1) of the Framingham Zoning By-Law the Applicant shall provide a total of 615.6sf ($9 * 18 = 162 * 19 = 3078 * 20\% = 615.6sf$) as a pocket park and/or open space. The Applicant has provided a green roof on top of 1 Edgell Road equal to 300sf, an area for outdoor seating approximately 500sf, and a pocket park in front of 5 Edgell Road equal to 500sf.
- 2.4 In the event that the Applicant does not need all of the required off-street parking spaces, the Applicant agrees to landbank the constructed parking spaces either by creating a pocket park, a seating area, and/or additional open space.

3. Section VI.E - Special Permit, Framingham Zoning By-Laws

- 3.1 The Project is consistent with the intent of the Community Business (B-2) Zoning District.
- 3.2 The Applicant has requested a special permit for a reduction in the required number of off-street parking spaces. The Applicant has demonstrated that during the weekday evening hours, Saturday, and Sundays the provided parking provides an adequate number as required under the Zoning By-Law. Weekday mornings and midday do require additional parking than what is required. However, mixed-use plazas are known for one stop-shopping and visiting – where one vehicle does multiple errands within the plaza.
- 3.3 The Applicant is providing 25 bicycle parking spaces within the site.
- 3.4 The buildings located at 1 and 5 Edgell Road are existing and do not currently pose a hazard to abutters, vehicles, and/or pedestrians. The Applicant has provided accessible sidewalks throughout the property for pedestrian safety.
- 3.5 Two of the existing buildings on-site are located on 5 Edgell Road. In accordance with the Zoning By-Law, only one primary use building is permitted per lot. The razing of the Red Pepper restaurant building and the construction of IHOP on 17 Edgell Road allows for the property to comply to the principle use requirements of the Zoning By-Law.
- 3.6 In accordance with the Department of Public Work letter of comment dated, April 8, 2016. The Applicant is required to field investigate and identify the actual locations of the sewer lateral along with conducting a camera inspection of the existing sewer service to determine if the service is in an acceptable condition to support new flow.
- 3.7 The project as depicted in the landscape plans shows a total of 12 additional trees within the parking lot.

4. Section VI.F.2.a - Minor Site Plan Review, Framingham Zoning By-Laws

- 4.1 The Department of Inspectional Services (Building Department) deemed the project as minor, therefore requiring Minor Site Plan review, Section VI.F.2.a of the Framingham Zoning By-Laws. Projects under Minor Site Plan Review do not require a Traffic Study and/or Environmental Impact Report.
- 4.2 Retain Community Character
 - 4.2.1 The Applicant worked with the Framingham Historic Commission for permission to raze the existing Red Pepper Building. On June 2, 2016 the Historic Commission deemed the building historically insignificant.

- 4.2.2 The Applicant proposes a new IHOP building in the center of the 17 Edgell Road property.
- 4.2.3 The Applicant proposes site improvements that make the property walkable, which is consistent with a historic center.
- 4.3 Traffic, Parking, and Public Access
 - 4.3.1 The Applicant proposes to install 25 bicycle parking spaces.
 - 4.3.2 The parking lot will be reconfigured and restriped with parking spaces in compliance with the Zoning By-Law. All parking spaces will be constructed 9'x18' and drive aisles will be a minimum width of 24'.
 - 4.3.3 The Applicant is providing additional landscaping area and landscaped parking islands within the parking lot.
 - 4.3.4 A new cross walk will be installed at the mouth of the Route 9 off-ramp access drive. The Applicant shall work with MassDOT to seek the appropriate approvals.
 - 4.3.5 The Applicant proposes to create the access from Edgell Road two-ways. The Applicant agrees to install a raised island with granite curbing to detour vehicles from taking a left hand turn from the property.
 - 4.3.6 The proposed IHOP restaurant does not propose a drive-thru window, nor is a drive-thru window permitted within the Community Business (B-2) Zoning District.
- 4.4 Environmental Impact
 - 4.4.1 The Project is not expected to create any significant emission of noise, dust, fumes, noxious gases, radiation, water pollutants, or any other similar significant adverse environmental impact.
- 4.5 Health
 - 4.5.1 The Project does not appear to pose adverse air-quality, noise, glare, and/or odors.
 - 4.5.2 The Project does not intend to create a hazard to abutters, vehicles, and/or pedestrians.
 - 4.5.3 The Applicant shall to dispose of any hazardous materials and/or transmissions in an appropriate manor.
- 4.6 Public Services and Utilities
 - 4.6.1 The Fire Department requires the Applicant to provide a Master Box and meet all fire safety codes.
 - 4.6.2 The Project will result in an increased water demand of approximately 2,520 gallons per day based on an (increase from 110 to 182 seats) of 35 gallons per person per day.
 - 4.6.3 The building will be serviced by municipal water and the increase of 2,520 gallons per day will not significantly impact the water system.
 - 4.6.4 There will be a 2,520 gallon demand for sewer capacity from the new restaurant based on the increase in water demand. The building will be served by sewer service lines and the increase in the discharge will not have any negative impacts upon the municipal system.
 - 4.6.5 In accordance with the Department of Public Work letter of comment dated, April 8, 2016. The Applicant is required to field investigate and identify the actual locations of the sewer lateral along with conducting a camera inspection of the existing sewer service to determine if the service is in an acceptable condition to support new flow.
- 4.7 Land Use Planning
 - 4.7.1 The nature of the mixed-use plaza is consistent with the intent of the Master Plan Use Plan. Furthermore, the addition of outdoor seating, additional landscaping, the increase in open space, the inclusion of pedestrian accessibility, and the addition of bicycle racks reinforce the efforts of the Master Land Use Plan.
 - 4.7.2 The property currently has 13,585sf (14.04%) of open space. The Project as redesigned increases the amount of open space over 15 percent, through the use of landscaped parking islands, a green roof on 1 Edgell Road, pocket parks, and increased landscaping areas along the property lines.
 - 4.7.3 The Applicant agrees to provide a list of native and/or hybrid plantings to be reviewed and approved by the Planning Board Administrator prior to the issuance of a building permit.

- 4.7.4 The Applicant complies with the Town's efforts and goals to be a connected, pedestrian friendly community by installing sidewalks and other pedestrian improvements towards a walkable neighborhood.
- 4.7.5 Section VI.F.5.c.2) of the Framingham Zoning By-Law requires Applicants to maintain and enhance the landscaped area along the off-ramp of Route 9 and Edgell Road. This should include the addition of trees as required by the Zoning By-Law (1 street tree every 20-30').

5. Article IV, Section 8 – Public Way Access Permit, Framingham General By-Laws

- 5.1 The Applicant proposes no modification to the curb radii of the access from the Route 9 off-ramp. The Applicant is investigating the possibility of constructing a crosswalk along the Route 9 off-ramp access.
- 5.2 The access drive from Edgell Road has been redesigned to accommodate two-way traffic. The Applicant agrees to install a raised island with granite curbing, to prohibit people from making a left hand turn onto Edgell Road.

CONDITIONS OF APPROVAL

The Planning Board finds that the Application and Plans submitted by the Applicant comply with all applicable provisions of the Town's By-Laws relevant to this review. Accordingly, the Planning Board votes are pursuant to relevant provisions of the Framingham Zoning By-Law (Section IV.B, IV.E., VI.E, and VI.F) and the Framingham General By-Laws (Article VI, Section 8).. Said approval from the Planning Board is subject to the following conditions:

General Provisions

1. Prior to the commencement of authorized site activity, the Applicant and the general contractor shall meet with Planning Board Administrator, Building Commissioner, and the Town Engineer to review this approval.
2. Prior to the commencement of authorized site activity, the Planning Board Office shall be given 48 hour written notice. If activity on the Property ceases for longer than 30 days, 48 hour written notice shall be given to the Planning Board Office prior to restarting work.
3. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address and emergency contact telephone number of the individual or individuals who shall be responsible for all activities on site and who can be reached 24 hours a day, seven days a week.
4. A copy of this Decision shall be kept on the Property.
5. Prior to the issuance of any building permit, an electronic copy of the final Planning Board Endorsed Site Plan, shall be provided to the Planning Board Office for distribution to Town Departments, in order to be reviewed for compliance with this Decision. The Site Plan shall be revised if necessary to reflect the conditions of this Decision. In the event of a discrepancy between the Decision and the Site Plan, the Decision shall take precedence.
6. No material corrections, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any request for a material modification of this approval shall be made in writing to the Planning Board for review and approval by the Planning Board or the Planning Board's Administrator and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
7. Following notice to the project manager for the Project, members or agents of the Planning Board shall have the right to enter the Site and to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the Site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
8. The Applicant shall record this Decision with exhibit(s) at the Middlesex South Registry of Deeds prior to the issuance of a building permit, after the required appeal period has lapsed in accordance with MGL,

Chapter 40A, Section 17. The Applicant will submit proof of recording to the Planning Board. Failure to record the decision or comply with the conditions of approval herein shall render this Decision null and void.

9. This approval for Minor Site Plan Review, Special Permit for Reduction in the Required Number of Off-street Parking Spaces, and a Special Permit for a Reduction in Parking Dimensional Regulations within the Setback, and Public Way Access Permit shall lapse two years from the date the Decision is recorded at the Middlesex South Registry of Deeds, not including such time required to pursue or await the determination of an appeal from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause as determined by the Planning Board.
10. The failure to comply with the By-laws and/or the terms of this Decision may result in revocation of the permit for Minor Site Plan Review, Special Permit for Reduction in the Required Number of Off-street Parking Spaces, and a Special Permit for a Reduction in Parking Dimensional Regulations within the Setback, and Public Way Access Permit issued hereunder. The Planning Board shall by first class mail send the owner written notification of any failure to comply with the By-law and/or the terms of this Decision. If the owner believes that it is not in violation, it may request and will be granted an opportunity to attend a Planning Board meeting to try to resolve the alleged violation. If within 30 days from the date of mailing of said notice, the owner has not resolved the matter with the Planning Board, or remedied the alleged violation, it shall be grounds for revocation of the approvals issued hereunder. At the expiration of the 30 day period, the Planning Board after a duly noticed public hearing, including notice to the owner by first class mail, may revoke the approvals issued hereunder if it finds by a four-fifths vote that there has been a violation of the By-law and/or the terms of this Decision and that the owner has failed to remedy it; alternatively, the Planning Board may continue the public hearing, or by a four-fifth vote extend the time period in which the violation may be corrected.
11. Prior to the issuance of the building permit, the Applicant shall provide all documents and information requested by the Planning Board or Planning Board Administrator demonstrating that the Applicant has complied with, or will comply with, all conditions of this approval.

Infrastructure/Site Design/Landscaping

12. Prior to the issuance of a use and occupancy permit, the Applicant shall either substantially complete the landscaping improvements shown on the approved landscaping plan or post a performance guarantee in accordance with this decision. All on-site landscaped buffer areas shall be maintained in good condition in perpetuity so as to present a healthy and neat appearance. The Applicant shall follow regularly scheduled routine maintenance. The Applicant shall submit a landscape maintenance plan to the Planning Board Administrator for review, approval and implementation upon its approval.
13. The Applicant shall provide regular maintenance of all facilities. The Applicant shall maintain all on-site drainage in working condition at its own expense, which shall include inspecting the catch basins twice annually (spring and fall) and cleaning, if necessary, to remove sediment.
14. Parking pavement markings shall be in white. Fire zone and traffic markings shall be as per the applicable code.
15. Any dumpster or dumpster enclosure, as shown on the Final Approved Site Plan shall remain closed and locked except when trash deposit, removal and pickup operations are being conducted.
16. The Applicant shall maintain the landscaping in perpetuity to ensure lines of sight are not blocked on Edgell Road and the Worcester Road off-ramp and that installed signage is free of all visual impediments.
17. The Applicant shall construct all improvements in compliance with all applicable state and federal regulations with respect to the design of any architectural access features required under the Americans with Disabilities Act (ADA) and with 521 CMR Architectural Access Board Rules and Regulations.

Site Construction

18. The Applicant shall perform daily cleanup of construction debris, including soil, on Town streets within 200 yards from the entrance of the site driveways, caused by the site construction.

19. Outside construction hours are to be between 7:00 AM and 5:30 PM Monday through Friday and 8:00 AM and 4:00 PM on Saturday. Absent emergency conditions, no construction is permitted on Sunday or holidays. No equipment on-site shall be started and allowed to warm up prior the start of the allowed construction hours. No vehicles are to arrive at the construction site before the designated construction hours, which includes no vehicle parking, standing or idling on adjacent public streets.
20. Any work within the public right of way shall be required to have a police detail during the duration of said work for the purpose of public safety, as required by the Police Department.
21. In the event of blasting or compaction during the construction phase, the Developer's Blasting Operator shall provide no less than ten days' advance notice of the commencement of blasting operations by certified mail to those property owners entitled to a pre-blast inspection pursuant to Massachusetts Comprehensive Fire Code: 527 CMR 1.00 et seq.
 - a. Copies of said mailing shall be furnished to the Planning Board and the Framingham Fire Department.
 - b. Copies of the blasting monitoring reports, noting any vibrations in excess of that allowable by regulation, shall be mailed to the above-referenced property owners, Planning Board and the Framingham Fire Department at the termination of blasting operations.
 - c. The Blasting Operator shall provide notice to the Planning Board and the Framingham Fire Department of any reported damage to real property.
22. The Developer's Blasting Operator shall post a Blasting and/or Compaction Notice Sign in a conspicuous location along the roadway to inform the public of the proposed blasting for the property. Applicant shall notify all abutting residents of such blasting and/or compacting event at the time said notice is posted in a conspicuous location.
23. Said Blasting Notice Sign shall be posted at least ten days prior to any blasting on-site and abutters notified by mail within 500' of the property. The Developer's Blasting Operator shall encourage the abutting properties within 500' of the property boundaries to have their homes inspected prior to the commencement of blasting and/or compaction. Such reports shall be provided to the Developer's Blasting Operator prior to the commencement of blasting.
24. The Applicant shall protect any vegetation that remains post-construction with temporary protective fencing or other necessary protective measures, prior to the start of construction.

Environment

25. The stormwater drainage system for the Project shall be in accordance with the Massachusetts Department of Environmental Protection Stormwater Policy relating to water quality and flood control using Best Management Practices as the standard of performance.
26. All stormwater and erosion control management shall be checked prior to the start and finish of each work day.
27. The Applicant shall check all stormwater features prior to and at the end of each construction day. A multiple day storm event occurs, the project manager shall check on the stormwater features to ensure they are functioning properly and have not exceeded their capacity. Any repairs or adjustments or deficiencies shall be made immediately.
28. The Applicant shall provide straw wattles and other erosion control methods at the base of the driveway during off-construction hours to prevent runoff and erosion from flooding the public way.

Snow Storage and Sidewalk/Walkway

29. Snow storage shall not obstruct sight lines so as to preserve public safety.
30. Snow storage shall be on-site in the snow storage areas designated on the Final Approved Site Plans. In addition, the Applicant must remove excess snow from the site as may be deemed necessary within forty-eight hours after the snow fall ends, in the interest of public safety.
31. The Applicant agrees to install 25 bicycle racks. The bicycle racks shall be installed in accordance with Section IV.B.7.c of the Framingham Zoning By-Law.

32. The sidewalks and walkways shall be kept clear of snow, leaves, and all other impediments and/or litter throughout the year. In the event of snow, the sidewalks and walkways shall be cleared within 48 hours of a snow event. Snow shall not be stored on or impede access/use of sidewalks and walkways.
33. Sidewalks throughout the site shall be constructed to be accessible by all pedestrian users.

Framingham Department Review

34. The Applicant shall comply with all directives requested in the correspondence from the Department of Public Works dated April 8, 2016 and subject to all final requirements of DPW.
35. The Applicant shall comply with all directives requested in the correspondence from the Framingham Department of Community & Economic Development dated July 18, 2016.
36. The Applicant shall comply with all directives requested in the correspondence from the Framingham Fire Department dated June 28, 2016.

Special Provisions/Periodic Conformance Reporting and Review

37. The Applicant shall provide the following performance guarantees for the Project.
 - a. Prior to the issuance of any final use and occupancy permit, the Applicant shall post a performance guarantee satisfactory to the Planning Board for all improvements including landscaping, which are incomplete or not constructed, in an amount not to exceed the cost of such improvements.
 - b. Upon completion of the project and prior to the request for a final use and occupancy permit, the Applicant shall provide the Planning Board with "As Built Plans" which shall be reviewed by the Planning Board Administrator, for certification that the landscaping has been planted substantially in accordance with the approved Landscape Plan, at which time a Landscape Maintenance Bond shall be required.
 - c. The Applicant shall provide to the Town of Framingham a Landscape Maintenance Bond in the sum of 20 percent of the total landscape cost to replace any trees which are improperly pruned or dead trees, shrubs or lawn areas, as shown on the approved Landscape Plan, which shall be posted for a period of two years commencing with the completion of the landscaping and certification of the Landscape Plan, as required above.
38. Prior to the issuance of a final use and occupancy permit, the Applicant shall submit an as-built plan stamped by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all improvements are completed in accordance with the approved Site Plan in a form acceptable to the Town of Framingham, Department of Public Works, Engineering & Transportation Division (DPW). The as-built plan shall be submitted in both hard copy and electronic formats (PDF and AutoCAD). The AutoCAD file must conform to the current form of the Mass GIS Standard for Digital Plan Submission to Municipalities or other standard requested by the Town of Framingham DPW. The plan shall include but not be limited to site utility improvements and tie-in dimensions to all pipes and connection points. The as-built information shall be delivered to DPW a minimum of 5 business days in advance of the Applicant seeking a final certificate of occupancy sign-off to allow time for DPW review and approval of submitted information. The Applicant shall also submit a statement certifying that all conditions of approval of this decision have been met and site improvements are complete.
39. The Applicant agrees to maintain any plantings or physical landscape features located within the driveway sight lines should be maintained at a height of two feet or less above the adjacent roadway grade.
40. The Applicant is encouraged to join and encourage tenants to join the MetroWest Transportation Management Association.
41. The Applicant shall prepare and submit all required plans, documents and permit applications for the improvements to MassDOT prior to the issuance of the first Building Permit for the Project, with evidence of said submission provided to the Town for the proposed crosswalk at the access of the Route 9 off-ramp.
42. The Applicant shall provide 15 street trees (size as required by the By-Law for the Project) to the Department of Public Works, for the Town to install within close proximity of the area to increase the amount of landscaping and street trees within the area.

43. Prior to the issuance of a Building Permit the Applicant shall provide the Planning Board Administrator with a list of plans, number of plant, and a landscape plans.
44. If the Applicant, finds that provided number of parking spaces does not meet the demands of the uses. The Applicant shall find additional parking on- or off-site. Such agreements and/or plans shall be provided to the Planning Board.
45. The Applicant shall submit a revised site plan prior to the issuance of a building permit that includes: the property title, the property address, a Planning Board Signature Block, photometric plan that shows the light fixture details and information related to the lighting, and a landscaping plan.
46. The rooftop equipment shall not be visible from the abutting properties and/or abutting roadways. Any screening not provided in the architectural rendering shall be required to be reviewed and approved by the Planning Board before construction.
47. The on-site lighting schedule shall comply with Building Code and life safety requirements.

WAIVERS

The Applicant, One Framingham Center, LLC, requests waivers for the following submittal items:

- 21.1.1.10 of the Planning Board Rules and Regulations: A Locus Map to allow adequate consideration of the surrounding neighborhood, a plan of adjacent properties shall be presented at a scale of not less than one inch equals 100 feet or at the same scale as the proposed site plan if practical. This plan shall show the general characteristics of all lands within 300 feet of the proposed site or such other distance as may be reasonably required, including structures, parking areas, driveways, pedestrian ways, and natural characteristics. Any structures or significant change in topography within 50 feet of the lot line shall be located precisely on said plan;
- 21.1.2.1 of the Planning Board Rules and Regulations: Address(es) of the project, identification of parcel by Parcel ID, and Project Title, Plan sets shall be accurately drawn to a scale of one inch equals 20 feet to one inch equals 60 feet, where practical and appropriate to the size of the proposal;
- 21.1.3.2 of the Planning Board Rules and Regulations: A landscape plan at the same scale as the site plan, showing the limits of work, existing tree lines, and all proposed landscape features and improvements including planting areas with size and type of stock for each shrub or tree;
- VI.F.4.a.5 of the Zoning By-Law: A written summary which outlines proposed best management practices, low impact development (LID) features, and energy efficiency features utilized on-site

The Planning Board voted five in favor, zero opposed, and zero in abstention to accept the requested waivers for the One Framingham Center, LLC application for the properties located at 1, 5, and 17 Edgell Road, zoned Community Business (B-3) Zoning District and the Highway Corridor (HC) Overlay District.

Christine Long.....yes
 Lewis Colten.....yes
 Victor Ortiz.....yes
 Thomas Mahoney.....yes
 Stephanie Mercandetti.....yes

VOTES

The Planning Board voted five in favor, zero opposed, and zero in abstention to grant an approval with conditions for a Public Way Access Permit related to the One Framingham Center, LLC application for the reconfiguration of the Edgell Road access driveway, which includes making the drive way two-way with a granite curb directional detail for the properties located at 1, 5, and 17 Edgell Road, zoned Community Business (B-3) Zoning District and the Highway Corridor (HC) Overlay District.

Article VI, Section 8 – Public Way Access Permit

Christine Long.....yes
Lewis Colten.....yes
Victor Ortiz.....yes
Thomas Mahoney.....yes
Stephanie Mercandetti.....yes

The Planning Board voted four in favor, one opposed, and zero in abstention to grant an approval with conditions for a Special Permit for a Reduction in the Required Number of Off-Street Parking Spaces related to the One Framingham Center, LLC application for a reduction of 72 off-street parking spaces for the mixed-use shopping plaza for the properties located at 1, 5, and 17 Edgell Road, zoned Community Business (B-3) Zoning District and the Highway Corridor (HC) Overlay District.

Section IV.B.1.f Special Permit for a Reduction in the Required Number of Off-Street Parking spaces

Christine Long.....yes
Lewis Colten.....no
Victor Ortiz.....yes
Thomas Mahoney.....yes
Stephanie Mercandetti.....yes

The Planning Board voted four in favor, one opposed, and zero in abstention to grant an approval with conditions for a Special Permit for a Reduction in Parking Dimensional Regulations within the Setback related to the One Framingham Center, LLC application for the location of 19 off-street parking spaces located between the building and the roadway, resulting in the construction of 615.6sf of pocket park/open space area for the properties located at 1, 5, and 17 Edgell Road, zoned Community Business (B-3) Zoning District and the Highway Corridor (HC) Overlay District.

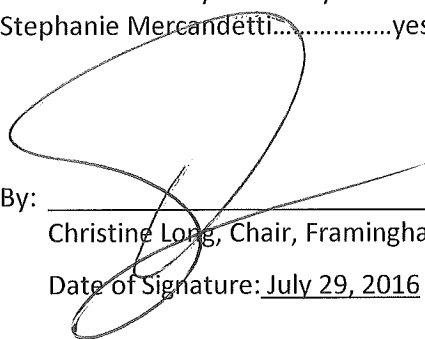
Section IV.B.3.b Special Permit for a Reduction in Parking Dimensional Regulations within the Setback

Christine Long.....yes
Lewis Colten.....no
Victor Ortiz.....yes
Thomas Mahoney.....yes
Stephanie Mercandetti.....yes

The Planning Board voted four in favor, one opposed, and zero in abstention to grant an approval with conditions for Minor Site Plan Review (Section VI.F) related to the One Framingham Center, LLC application for the construction of an IHOP Restaurant, landscaping, off-street parking, stormwater management, and associate site improvements for the properties located at 1, 5, and 17 Edgell Road, zoned Community Business (B-3) Zoning District and the Highway Corridor (HC) Overlay District.

Section VI.F Minor Site Plan Review

Christine Long.....yes
Lewis Colten.....no
Victor Ortiz.....yes
Thomas Mahoney.....yes
Stephanie Mercandetti.....yes

By: 
Christine Long, Chair, Framingham Planning Board
Date of Signature: July 29, 2016

EXHIBITS

Not attached unless indicated

The Applicant has filed with the Planning Board various plans and reports required under the requirements of the Framingham Zoning By-Laws. During the review process, the Applicant and its professional consultants also submitted revisions to plans in response to requests by the Planning Board and by the various Town Departments that reviewed the Project. All of these plans, reports and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference.

1. FORM A – Application Cover Letter, Property Addresses: 1 , 5, 17 Edgell Road, Planning Board Project Number PB 015-16, stamped by the Town Clerk on June 15, 2016
2. FORM E – Site Plan Review Application, Property Addresses: 1 , 5, 17 Edgell Road, Planning Board Project Number PB-015-16, stamped by the Town Clerk on June 15, 2016
3. FORM F – Public Way Access Permit Application, Property Address: 1 , 5, 17 Edgell Road, Planning Board Project Number PB-015-16, stamped by the Town Clerk on June 15, 2016
4. FORM L – Special Permit Application, Property Address: 1 , 5, 17 Edgell Road, Planning Board Project Number PB-015-16, stamped by the Town Clerk on June 15, 2016
5. Development Impact Statement for One Framingham Centre, LLC, 1, 5, and 17 Edgell Road, dated May 2016
6. Site Plans for Construction Site & Grading Plan of Land in Framingham, Mass. Owned by One Framingham Centre LLC, prepared by Sullivan Surveying Company, LLC, dated May 16, 2016, revised through July 13, 2016
7. Photometric Plan for 1 Edgell Road, prepared by Reflex Lighting, 7 Tide St, Boston dated June 7, 2016
8. Landscape renderings for 1 Edgell Road, Framingham, MA, prepared by Michael D'Angelo Landscape Architecture
9. Letter of correspondence from Attorney Peter Barbieri, RE: 1 Edgell Road, dated June 13, 2016
10. Letter of correspondence from Attorney Peter Barbieri, RE: 1 Edgell Road, dated July 21, 2016

The Planning Board received correspondence various Town Departments who review the project. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Special Permit and Site Plan Review Checklist for Application Submittal for the Property located at 1, 5, 17 Edgell Road, stamped with the Town Clerk on June 15, 2016
2. Public Way Access Permit Checklist for the Property located at 1, 5, 17 Edgell Road, stamped with the Town Clerk June 15, 2016
3. Correspondence received via ACCELA from the Department of Community and Economic Development, received July 18, 2016
4. Correspondence received via ACCELA from the Fire Department, received June 28, 2016
5. Correspondence received via ACCELA from the Police Department, received June 16, 2016
6. Letter of comment from the Framingham Historic District Commission, dated July 12, 2016
7. Letter of comment from the Department of Public Works, RE: Proposed Renovation – 1 Edgell Road, Framingham dated April 8, 2016
8. Planning Board Project Review for the Property Located at 1, 5, 17 Edgell Road, dated July 6, 2016